

**EXHIBIT "A"**

STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY	SUMMONS AND COMPLAINT	CASE NO. 16-010622-NF Hon. Daphne Means Curtis
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2 Woodward Ave., Detroit MI 48226

Court Telephone No. 313-224-2240

<b>Plaintiff</b> Rose Physical Therapy	v	<b>Defendant</b> Allstate Insurance Company
<b>Plaintiff's Attorney</b> James William Low, P-63110 4000 Town Ctr Ste 480 Southfield, MI 48075-1418		<b>Defendant's Attorney</b>

**SUMMONS NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside this state). (MCR 2.111[C])
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued 8/22/2016	This summons expires 11/21/2016	Court clerk File & Serve Tyler
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\*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

**COMPLAINT** *Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.*☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.**Family Division Cases**☐ There is no other pending or resolved action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties.☐ An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in \_\_\_\_\_ Court.The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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**General Civil Cases**☐ There is no other pending or resolved civil action arise out of the same transaction or occurrence as alleged in the complaint.☐ An civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in \_\_\_\_\_ Court.The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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**VENUE**

Plaintiff(s) residence (include city, township, or village)	Defendant(s) residence (include city, township, or village)
Place where action arose or business conducted	

8/23/2016

Date

Signature of attorney/plaintiff



If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Signature \_\_\_\_\_

db

**STATE OF MICHIGAN**  
**IN THE WAYNE COUNTY CIRCUIT COURT**

ROSE PHYSICAL THERAPY,  
(Richard Hemphill)

Case No. 16-  
Hon.

-NF

Plaintiff,

vs.

ALLSTATE INSURANCE COMPANY,


Defendant.

16-010622-NF

FILED IN MY OFFICE  
WAYNE COUNTY CLERK  
8/22/2016 9:28:11 AM  
CATHY M. GARRETT

\_\_\_\_\_  
JAMES W. LOW (P63110)  
JORDAN E. DOLLAR (P75674)  
**The Dollar Law Firm PLLC**  
Attorney for Plaintiff  
4000 Town Center, Suite 480  
Southfield, MI 48075  
(248) 918-4500 / (248) 809-4000 (fax)  
\_\_\_\_\_

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this Court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge. MCR 2.113(C)(2)(b).

  
\_\_\_\_\_  
JAMES W. LOW (P63110)

**COMPLAINT AND JURY DEMAND**

THE DOLLAR LAW FIRM, PLLC  
Attorneys at Law  
4000 Town Center  
SUITE 480  
Southfield, Michigan 48075  
(248) 918-4500

NOW COMES Plaintiff, ROSE PHYSICAL THERAPY, by and through its attorneys JAMES W. LOW and THE DOLLAR LAW FIRM, PLLC, and for its Complaint, state as follows:

**VIOLATION OF THE MICHIGAN NO-FAULT ACT**

1. That Plaintiff ROSE PHYSICAL THERAPY is a medical provider with its principal place of business in the City of Southfield, County of Oakland, State of Michigan.
2. That Defendant conducts a regular and systematic part of its business in the City of Southfield, County of Oakland in the State of Michigan.
3. That the amount in controversy is within the jurisdiction of this Court by reason of a claim of damages, excluding statutory penalty interest and attorney fees exceeds \$25,000.00 **[EXHIBIT 1]**.
4. That Richard Hemphill was involved in a motor vehicle accident.
5. That as a result of the afore-described accident, Plaintiff has incurred medical expenses regarding the care, recovery, and rehabilitation of Richard Hemphill.
6. That Defendant is in first priority for payment of No-Fault benefits on behalf of Richard Hemphill pursuant to MCL 500.3114.
7. That reasonable proof for full payment of personal insurance benefits has been or will be supplied by Plaintiff to Defendant.
8. That Defendant is responsible for payment of the medical expenses incurred by Richard Hemphill as a result of the accident.

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9. That Defendant denied payment of the medical expenses incurred by Richard Hemphill as a result of the accident.

10. That Defendant is in breach of its statutory duties to make payment of the medical expenses incurred by Plaintiff.

WHEREFORE, Plaintiff ROSE PHYSICAL THERAPY, seeks damages in an amount in excess of \$25,000.00 in addition to the attorney fees and interest pursuant to MCL 500.3148 and MCL 500.3142.



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August 22, 2016

STATE OF MICHIGAN  
IN THE WAYNE COUNTY CIRCUIT COURT

ROSE PHYSICAL THERAPY,  
(Richard Hemphill)

Plaintiff,

Case No. 16-  
Hon.

-NF

vs.

ALLSTATE INSURANCE COMPANY,

Defendant.

\_\_\_\_\_  
JAMES W. LOW (P63110)  
JORDAN E. DOLLAR (P75674)  
**The Dollar Law Firm PLLC**  
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\_\_\_\_\_

**JURY DEMAND**

NOW COMES Plaintiff, ROSE PHYSICAL THERAPY, by and through its attorneys JAMES W. LOW and THE DOLLAR LAW FIRM, PLLC, and hereby demands a jury on all issues so triable.



\_\_\_\_\_  
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August 22, 2016

# EXHIBIT 1

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